

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DAVID T. BREAKWELL, <i>et al.</i> ,)	
)	
Plaintiffs,)	Civil Action No. 08-389
)	
v.)	Judge Fischer
)	Magistrate Judge Bissoon
ALLEGHENY COUNTY, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

Effective July 30, 2008, this case was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

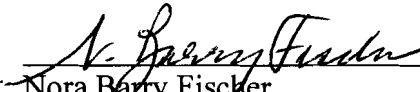
Also on July 30, 2008, Judge Caiazza issued a Report (Doc. 9) recommending that Defendants' Motion to Dismiss (Doc. 4) be granted in part and denied in part, as described in the Report.¹

Service of the Report and Recommendation was made on the parties, and no objections have been filed. After a review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

¹ After Judge Caiazza issued his Report, this case was reassigned to United States Magistrate Judge Cathy Bissoon. *See* text Order dated Aug. 1, 2008. The reassignment has no effect on the District Court's review of the Report and Recommendation.

AND NOW, on this 22nd day of August, 2008, IT IS HEREBY ORDERED that Defendants' Motion to Dismiss (**Doc. 4**) is **GRANTED** to the extent it seeks dismissal of the Allegheny County Department of Human Services, Office of Children, Youth & Family Services ("the CYF"), but otherwise is **DENIED**.

The Report and Recommendation dated July 30, 2008 is adopted as the opinion of the District Court.


Nora Barry Fischer
United States District Judge

cc (via email):

James E. Mahood, Esq.
Caroline Liebenguth, Esq.